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August 29, 2010

VIA ECF

Judge Sandra L. Townes
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

RE: Stone v. City of New York, et al.
Index Number: 05 CV 2736 (EDNY)(DLI)(RML)

Szmigielski v. City of New York, et al.
Index Number: 05 CV 4961 (EDNY)(DLI)(RML)

Your Honor:

Opposition papers from Plaintiffs to the City's Motion for Summary Judgment (file June 30, 2010) are due tomorrow August 30, 2010. Because of to several conflicting obligations, including matters as old as the current matter, my papers (for Plaintiff Stone), as well as those for Co-Plaintiff Szmigielski cannot be provided with the agreed upon time frame.

I thus request an enlargement of the time to file until September 30, 2010. I have received authorization from Co-Plaintiff for this request as well as the consent of the counsel for the City of New York, Special Federal Litigation Counsel, Philip DePaul.

This consent was conditioned upon our consent for an additional thirty (30) days for the City for Reply papers which was agreed to.

I am willing to file a Motion for this purpose or for the court to simply endorse its Order on this correspondence or issue a Minute Order.

The new dates will be as follows, opposition papers on September 30, 2010, and Reply October 30, 2010.

Sincerely Yours,

/s/ William Perniciaro

WILLIAM PERNICIARO

WPP:km

cc: Special Federal Litigation Counsel, Philip DePaul, via ECF.